

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
9:00 A.M., April 18, 2006

City Council Chambers
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation
- Pledge of Allegiance
- Approve the minutes of the April 11, 2006 regular meeting

AWARDS AND PROCLAMATIONS

- Proclamations
 - Arbor Day
 - Administrative Professionals Week
 - Workers Memorial Day
 - Museum of World Treasure Day
 - Earth Day

CONSENT AGENDA

1. Report of the Board of Bids and Contracts Dated April 17, 2006.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

2. Application for Licenses.

Renewals:

Lewis F. Self, Jr.	Adult Entertainment Industries, Inc. dba After Dark Video	7805 Kellogg
Lewis F. Self, Jr.	Adult Entertainment Industries, Inc. dba After Dark Video	3721 South Broadway
Lewis F. Self, Jr.	Adult Entertainment Industries, Inc. dba After Dark Video	2809 North Broadway

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

3. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2006</u>	<u>(Consumption on Premises)</u>
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Mui Fong Yu (Tam)	Toms Lotus Garden	822 South Broadway
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<u>Renewal</u>	<u>2006</u>	<u>(Consumption off Premises)</u>
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Dennis Folden	Kum & Go #323	3405 South West Street
Dennis Folden	Kum & Go #326	277 South Ridge
Dennis Folden	Kum & Go #328	6330 East 21 st Street North

<u>New Operator</u>	<u>2006</u>	<u>(Consumption on Premises)</u>
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Tom Tuan Nguyen	PHO 135	2409 East Pawnee
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*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

4. Preliminary Estimates:

- a) 2006 Contract Maintenance Asphalt Mill & Overlay, Phase 2 - south of 29th Street North, east of Meridian. (472-84373/132719/133116/) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, II, III, IV) - \$836,400
- b) Water Distribution System to serve Liberty Park 2nd & 3rd Additions - south of 13th Street North, east of 135th Street West. (448-89895/735306/470977) Does not affect existing traffic. (District V) - \$121,000
- c) Gilbert from the east line of 127th Street East to the east line of Lot 1, Block 4 to serve Country Hollow Addition - south of Kellogg, east of 127th Street East. (472-84350/ 765977/490092) Does not affect existing traffic. (District II) - \$216,000

(Item 4 continued)

- d) Peckham/Laguna/Sierra Hills from the south line of Gilbert to the north line of Lot 20, Block 3; Peckham Court serving Lots 1 through 15, Block 2, from the west line of Peckham to and including the cul-de-sac; Peckham Court serving Lots 16 through 27, Block 2, from the west line of Peckham to and including the cul-de-sac; Laguna from the east line of Lot 36, Block 2 to 237 feet east of the east line of Lot 36, Block 2 to serve Country Hollow Addition - south of Kellogg, east of 127th Street East. (472-84328/765974/490089) Does not affect existing traffic. (District II) - \$625,000

RECOMMENDED ACTION: Receive and file.

5. Petitions for Public Improvement

- a) Construct a Water Distribution System in Casa De La Familia Addition, north of 32nd Street North, east of Arkansas Avenue. (District VI)
- b) Construct a Water Distribution System in Harrison Park Third Addition, north of Harry, east of Webb. (District II)
- c) Pave Villa Parkway in north Ridge Village Addition, north of 37th Street North, west of Ridge. (District V)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

6. Consideration of Street Closures/Uses.

Wichita Cyclefest Race Series, Saturday, May 6, 2006 from 9:00 a.m. to 6:30 p.m.

- East 35th Street North, east 36th Street North and north Ridgewood Drive.

RECOMMENDED ACTION: Approve the request subject to hiring off-duty certified law enforcement officers as required; and obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department.

7. Agreements/Contracts:

- a) Respread assessments-Auburn Hills 16th Addition, south of Maple, west of 119th Street West. (District V)
- b) Snacks for the Summer of Discovery Program.

RECOMMENDED ACTION: Approve Agreements/Contracts and authorize the necessary signatures.

8. Change Order-River Corridor Improvements. (District VI)

RECOMMENDED ACTION: Approve the Change Orders and authorize the necessary signatures.

9. Property Acquisition-3510 East Kinkaid Street for the Dry Creek Basin Property Acquisition Project. (District III)

RECOMMENDED ACTION: Approve budgets and Contracts and authorize the necessary signatures.

10. Surplus property located at 202 North Gow. (District VI)

RECOMMENDED ACTION: Declare the property as surplus and designate it as available for sale to the general public.

11. Acquisition by Eminent Domain of tracts required for the Cowskin Creek Channel Improvement Project from Kellogg to Maple. (District V)

RECOMMENDED ACTION: Adopt the resolution and place the ordinance providing for the acquisition by eminent domain of certain real property and directing the City Attorney to file the appropriate proceedings in the District Court to accomplish such acquisition, on first reading.

12. Kansas Community Service Tax Credit Program Application. (District I)

RECOMMENDED ACTION: Support the application and authorize the Mayor to sign the Local Government Endorsement Form.

13. Prisoner Reentry Program.

RECOMMENDED ACTION: Approve creation of two grant funded positions; authorize establishment of a grant budget and authorize necessary budget transfers and signatures.

14. Sewage Treatment Plant One Upgrade-Change Order.

RECOMMENDED ACTION: Approve the change order and amending the CIP; adopt the amended resolution and authorize the necessary signatures.

14a. Resolution:

Resolution establishing the Order of Succession as Mayor of the City of Wichita, Kansas in the absence from the City of the Mayor and the Vice Mayor.

RECOMMENDED ACTION: Adopt the Resolution and authorize the necessary signatures.

15. Second Reading Ordinance: (First read April 11, 2006)

- a) PUD2005-00005; PUD #21-generally y located 1/3 mile south of 21st Street North and west of Maize Road. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended.

RECOMMENDED ACTION: Adopt Ordinance.

NEW BUSINESS

16. Public Hearing and Tax Exemption Request, Cox Machine, Inc. (District V)

On November 20, 2001, City Council approved a five-plus-five-year 98% Economic Development Tax Exemption to Cox Machine, Inc. (Cox Machine), for an expansion project that resulted in the construction of a new facility and the purchase of new machinery and equipment.

RECOMMENDED ACTION: Close the public hearing and approve first reading of the Ordinance granting a 70% tax exemption on the identified personal property improvements for a five-year term.

17. Public Hearing and Tax Exemption Request, ZTM, Inc. (District III)

On December 19, 2000, the City Council approved a five-plus-five year 98% ad valorem tax exemption to ZTM, Inc. (ZTM) for an expansion that included acquisition of an existing facility and purchase of new manufacturing equipment.

RECOMMENDED ACTION: Close the public hearing and approve first reading of the Ordinance granting a 50% tax exemption on the identified personal property improvements for a five-year term.

(10:00 a.m. or soon thereafter)

18. Public Hearing on the establishment of a Redevelopment District, Tax Increment Financing for the 47th Street and Broadway Redevelopment Project. (District IV)

On March 7, 2006, the City Council approved D.J. Christie, Inc., as the preferred developer of a redevelopment project in the area of 47th Street South and Broadway; approve a letter of intent to provide Tax Increment Financing in an amount not-to-exceed \$1,500,00 and adopted a resolution stating its intent to consider the establishment of redevelopment district.

RECOMMENDED ACTION: Close the Public Hearing and place on first reading the Ordinance establishing the 47th Street and Broadway Redevelopment District area.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

19. Appeal of Historic Preservation Board action regarding demolition of 123-125 East Douglas. (District I)

RECOMMENDED ACTION: Defer action instructing the applicant to resubmit materials that demonstrate that there is "no feasible and prudent alternative to the proposal and that the program includes all possible planning to minimize harm to such historic property resulting from such use".

20. *SUB2005-82-Plat of Conquest North Second Addition, located south of 29th Street North and west of Hillside. (District I)

RECOMMENDED ACTION: Approve the documents and plat; adopt the resolutions and authorize the necessary signatures.

21. *SUB2005-87-Plat of Crestlake Addition, located on the north side of Central and west of 127th Street East. (District II)

RECOMMENDED ACTION: Approve the documents and plat; adopt the resolutions and authorize the necessary signatures.

22. *DED2006-07-Dedication of a utility easement, located north of 29th Street North and west of Broadway.
(District VI)

RECOMMENDED ACTION: Accept the dedication.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.
*Consent items

23. *Purchase of Airfield Sweeper.

RECOMMENDED ACTION: Approve the capital project budget increase.

CITY COUNCIL

24. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

25. Approval of travel expenses for Mayor to attend U.S. Conference of Mayor's Jerusalem Conference of Mayors, May 6-13, 2006.

RECOMMENDED ACTION: Approve the expenditures.

Adjournment

Workshop to follow